

### **REMARKS/ARGUMENTS**

Claims 1-4, 6-12, 15, 17, 27 and 29-32 are now pending in this application. Claims 1, 6, 12 and 27 are Independent Claims. Claims 1, 12, 15 and 27 have been amended. Claims 5, 13, 14, 16 and 28 have been cancelled. Claims 18-26 have been withdrawn.

#### ***Claim Rejections – 35 USC § 103***

Claims 1-17 and 27-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stevens III, United States Patent Number 6,747,560 (hereinafter: Stevens) in view of Muhme, United States Patent Number 5,886,634 (hereinafter: Muhme). (Pending Office Action, Page 2). Applicant respectfully traverses these rejections.

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (emphasis added) (MPEP § 2143). “If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is non-obvious.” (emphasis added) *In re Fine*, 837 F. 2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988). Applicant respectfully submits that the claims rejected under this section include elements that have not been disclosed, taught or suggested by any of the references cited by the Patent Office, either alone or in combination.

Independent Claim 1 of the present invention generally recites:

***“assembling and testing said data storage device based on said RF tag, the RF tag providing information on an assembly method and a test method for testing said data storage device.”***

In the present invention, the data storage device may be assembled based upon its RF tag. (Present Application, Page 7, Paragraph 0019). For example, a job number may

be stored on an RF tag and correlated to a work station ID, which may automatically display the correct assembly method. (Present Application, Page 7, Paragraph 0019). Further, after assembly, the data storage device of the present invention may also be tested based upon its RF tag. (Present Application, Page 7, Paragraph 0019). For instance, the RF tag may automatically display a correct test method. (Present Application, Page 7, Paragraph 0019). The above-referenced elements of the present invention may promote reduced assembly time and fewer assembly errors, as there may be no opportunity to select a wrong assembly method or test method. (Present Application, Page 7, Paragraph 0019).

The Patent Office cited Stevens as teaching the above-referenced element of assembling a data storage device based on an RF tag. (Pending Office Action, Page 2). Stevens discusses cutting meat, weighing meat and packaging meat, the package of meat having an RFID label which is read by an RFID reader at a checkout stand. (Stevens, Column 3, Line 45 through Column 4, line 15). The Patent Office argues that the RFID tag of Stevens provides an assembly method for assembling the package of meat. (Pending Office Action, Page 2). However, in Stevens, the RFID label does not provide a method for assembling the package of meat, but rather, the RFID label is generated *in response to* assembly (i.e. is generated after what the Patent Office cites as “assembly” (i.e., weighing, cutting, packaging) has already taken place; includes information such as what the meat ended up weighing, etc.) and dictates nothing to the meat packager about how to assemble the package of meat. (Stevens, Column 4, Lines 1-10). Contrastingly, as mentioned above, the RF tag of the present invention provides an assembly method which may promote ease of assembly/reduced assembly time for data storage devices. (Present Application, Page 7, Paragraph 0019).

Therefore, unlike Claim 1 of the present invention, none of the above cited references, either alone or in combination, teach, disclose or suggest assembling a data storage device based upon an RF tag, the RF tag providing information on an assembly method. Further, nowhere in the pending Office Action does the Patent Office address

the elements of testing a data storage device based on an RF tag, the RF tag providing information on a test method for testing said data storage device.

Independent Claim 6 of the present invention generally recites:

“*shipping* said data storage device to a customer.”

In the present invention a method for shipping a data storage device is claimed which includes the above-referenced element of shipping the data storage device to a customer. (Present Application, Page 7, Paragraph 0020, FIG. 2, Step 204, Page 4, Paragraph 0009). The Patent Office cites Stevens as teaching the above-referenced element of Independent Claim 6. (Pending Office Action, Page 3). However, the cited portion of Stevens refers to a customer receiving a package of meat at a meat counter in a supermarket and taking the package of meat up to a checkout stand in that same supermarket, so that he or she may pay for it. (Stevens, Column 3, Line 42 through Column 4, Line 15). Nowhere in Stevens, nor in any of the cited references, either alone or in combination, is the element of shipping a data storage device to a customer either disclosed, taught or suggested.

Independent Claim 12 of the present invention generally recites:

“communicating location of said data storage device to said manufacturer *via global position system* and said RF tag.”

In the present invention, after a data storage device is shipped to a customer (ex-leaves a manufacturer’s site), the data storage device may be tracked by a customer, during transport to the customer, via an RF tag attached to the device *and a global position system*. (Present Application, Page 7, Paragraph 0021). Nowhere in any of the cited references, either alone or in combination, is the element of tracking a device via a global position system and an RF tag either disclosed, taught, or suggested.

Independent Claim 27 of the present invention generally recites:

“wherein said RF tag contains information about said data storage device, said information about said data storage device including a hardware and software

configuration, *an operating condition*, and a location of said data storage device."

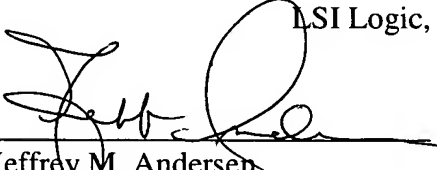
In the present invention, a data storage device may include an RF tag which provides information about an operating condition (ex- whether the device has failed, may fail, etc.) of the device. (Present Application, Page 6, Paragraph 0017). Nowhere in any of the cited references, either alone or in combination, is the above-referenced element either taught, disclosed or suggested.

Based on the above rationale, the Patent Office has failed to make a *prima facie* case of obviousness against Independent Claims 1, 6, 12 and 27. Thus, Independent Claims 1, 6, 12 and 27 should be allowed over the prior art of record. Further, Claims 2-4 (which depend from Claim 1), Claims 7-11 (which depend from Claim 6), Claims 15 and 17 (which depend from Claim 12), and Claims 29-32 (which depend from Claim 27) should also be allowed.

### CONCLUSION

In light of the forgoing, reconsideration and allowance of the pending claims is earnestly solicited.

Respectfully submitted on behalf of

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